

Mississippi Public Service Commission

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HATTIESBURG - SECOND DISTRICT

BO ROBINSON, VICE-CHAIRMAN
HAMILTON - THIRD DISTRICT

NIELSEN COCHRAN, COMMISSIONER
JACKSON - FIRST DISTRICT



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DAVID L. CAMPBELL, ATTORNEY
COMMISSION STAFF

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DEC 29 2003

FCC - MAILROOM

December 23, 2003

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445-12th Street, SW, Room TW-A306
Washington, D C 20554

Re CC Docket No. 96-45, No. 99-306, January 1st Certification Requirement for Non-Rural Carriers

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 54.313, The Mississippi Public Service Commission ("MPSC") files its required certification beginning the Second Quarter of 2004 for Alltel Communications, Inc. – Study Area Code No. 289010.

In accordance with the Federal Communications Commission's ("FCC") requirements in *Federal/State Joint Board on Universal Service, Ninth Report and Order, Eighteenth Order on Reconsideration, CC Docket No. 96-45, FCC 99-306*, the MPSC certifies that Alltel's proposed use of federal universal service high-cost support for the year 2004 will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with Section 254(e) of the Telecommunications Act of 1996.

Attached is a copy of the Commission's orders in its Docket No. 2003-UA-0407.

Enclosed is a stamped addressed envelope and an additional copy of this letter for you to use in forwarding a stamped filed copy of this correspondence. Thank you for your assistance in this matter.

In accordance with the FCC's mandate, this certification letter is also being sent to Irene Flannery, Universal Service Administrative Company.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Callahan", written over a horizontal line.

Michael Callahan, Chairman

A handwritten signature in black ink, appearing to read "Bo Robinson", written over a horizontal line.

Bo Robinson, Vice-Chairman

A handwritten signature in black ink, appearing to read "Nielsen Cochran", written over a horizontal line.

Nielsen Cochran, Commissioner

Enclosure

Cc Irene Flannery

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**BEFORE THE
MISSISSIPPI PUBLIC SERVICE COMMISSION**

03-UA-407

**ALLTEL COMMUNICATIONS,
INC.**

**IN RE: APPLICATION OF ALLTEL
COMMUNICATIONS, INC. FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER
PURSUANT TO SECTION 214(E)(2) OF
THE COMMUNICATIONS ACT OF 1934**

ORDER

HAVING COME ON BEFORE the Mississippi Public Service Commission ("Commission") for the consideration of ALLTEL Communications, Inc.'s ("ALLTEL's") Revised Plan for Utilization of Federal Universal Service Funding for the year 2004 heretofore submitted to this Commission by ALLTEL, and after reviewing the Plan and being otherwise sufficiently advised, this Commission finds as follows:

I.

On May 21, 2003, ALLTEL filed its Application for Designation as an Eligible Telecommunications Carrier ("ETC") under the Telecommunications Act of 1996. ALLTEL was subsequently designated by the Commission as an Eligible Telecommunications Carrier on December 4, 2003.

II

On December 16, 2003, ALLTEL submitted its initial plan for utilization of the Federal Universal Service Fund for the year 2004 for approval by the Commission.

III

On December 19, 2003, ALLTEL submitted its revised plan for utilization of the Federal Universal Service Fund for the year 2004 for approval by the Commission (the "Revised Plan"). This Commission finds that ALLTEL's Revised Plan for use of federal universal service funds for the year 2004 in Mississippi is consistent with the principles of Universal Service as outlined in the Telecommunications Act of 1996 and by the FCC in its Universal Service Order.¹

III.

The Commission, after consultation with the Public Utilities Staff, concludes that ALLTEL's Revised Plan for utilization of the Federal Universal Service Fund for the year 2004 is consistent with the Telecommunications Act of 1996 and the pertinent FCC orders.

IT IS, THEREFORE, ORDERED

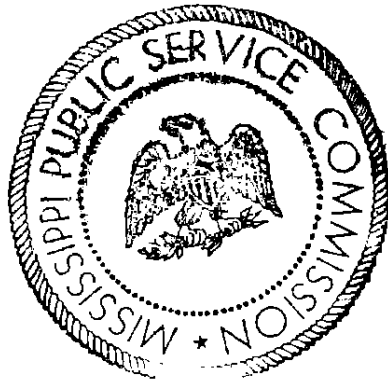
1. The Commission hereby certifies that ALLTEL's Revised Plan for Utilization of Federal Universal Service Funding is consistent with 47 U.S.C. 254(e).
2. ALLTEL shall file quarterly reports with the Commission providing the status of universal service fund expenditures and projects
3. This Order is effective as of the date hereof

¹Federal - State Joint Board on Universal Service Ninth Report and Order and Eighteenth Order on Reconsideration, CC Docket No. 96-45, FCC 99-306, Released November 2, 1999 ("Universal Service Order"). See generally, paragraphs 93-110.

SO ORDERED, this the 23rd day of December, 2003

Chairman Michael Callahan voted Aye; Vice Chairman Bo Robinson voted Aye;
and Commissioner Nielsen Cochran voted Aye.

MISSISSIPPI PUBLIC SERVICE COMMISSION



BY: Michael Callahan
MICHAEL CALLAHAN, CHAIRMAN

BY: Bo Robinson
BO ROBINSON, VICE CHAIRMAN

BY: Nielsen Cochran
NIELSEN COCHRAN, COMMISSIONER

ATTEST: A TRUE COPY

Brian U. Ray
BRIAN U. RAY,
EXECUTIVE SECRETARY

BEFORE THE MISSISSIPPI PUBLIC SERVICE COMMISSION

03-UA-0407

ALLTEL
COMMUNICATIONS, INC.

TC 123138300

IN RE: APPLICATION OF ALLTEL
COMMUNICATIONS, INC. FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER
PURSUANT TO SECTION 214(E)(2) OF
THE COMMUNICATIONS ACT OF
1934

ORDER

THIS DAY, there came on for consideration by the Mississippi Public Service Commission ("Commission") the Application of Alltel Communications, Inc. ("ALLTEL") for designation as a carrier eligible for federal universal service support pursuant to Section 214(e) of the Telecommunications Act of 1996 ("TA96"). The Commission, being fully apprised in the premises and having considered the documents, responses of ALLTEL to discovery requests submitted by the Mississippi Public Utilities Staff ("MPUS"), and the record before it, as authorized by law and upon recommendation of the MPUS, finds as follows, to-wit:

1 On May 21, 2003, ALLTEL filed with the Commission its Application pursuant to Section 214(e) of TA96 and Federal Communications Commission ("FCC") Rules 47 C.F.R. §§ 54.201 through 54.207, requesting designation as an Eligible Telecommunications Carrier ("ETC") for its current service area which includes the State of Mississippi (the "designated service area").

2. The Commission has jurisdiction to enter this Order, and entry hereof is in the public interest.

3. Due and proper notice of the Application was given to all interested persons as required by law and the Commission's Public Utilities Rules of Practice and Procedure.

4. BellSouth Telecommunications, Inc. ("BellSouth") intervened and became a party of record in this matter.

5. ALLTEL holds licenses to provide cellular mobile radio telephone service in Mississippi Cellular Market Areas: 106, 173, 252, 494, 497, 498, 499, 502 and 503.

6. Pursuant to 47 U.S.C. § 214(e) and FCC Rule 47 C.F.R. § 54.201, to qualify under federal law as a telecommunications carrier eligible for universal service funding, carriers must satisfy certain requirements or qualify for a waiver of those requirements. An ETC must offer the following services:

- a. Voice grade access to the public switched network;
- b. Access to free of charge "local usage" defined as an amount of minutes of use of exchange service;
- c. Dual tone multi-frequency signaling or its functional equivalent;
- d. Single-party service or its functional equivalent;
- e. Access to emergency services;
- f. Access to operator services,
- g. Access to interexchange services;
- h. Access to directory assistance, and

1. Toll limitations services for qualifying low-income customers

7. Qualified ETCs must offer these services either using their own facilities or a combination of their own facilities and the resale of services of another facilities-based carrier. Further, ETCs must advertise the availability of, and the prevailing prices for, the universal services throughout the area in which they have been designated as an ETC. ALLTEL satisfies these requirements and shall continue to comply with each of these provisions regarding service provision and offerings.

8. ALLTEL will implement a program to advertise the availability of the above - referenced services and related charges using media of general distribution in its certificated service area as required by Section 254(e)(1)(B) of TA96 and Section 54.201(d)(2) of the FCC's Rules.

9. The Commission finds that ALLTEL is capable of providing the services required for ETC designation and is capable of providing such services with an adequate degree of quality.

10. The Commission finds that ALLTEL has committed to serve all subscribers upon request in its designated service area. ALLTEL has committed to provide service either through its own facilities or a combination of its own facilities and resale.

11. ALLTEL has not requested ETC designation for the exchanges of small rural carriers (independent telephone companies).

12. The Commission finds that an ETC designation to ALLTEL can at a future time be modified or changed by subsequent Order of this Commission.

13. The Commission finds that ETC designation cannot be granted solely based on

resale. Therefore, the Commission finds that ALLTEL shall provide service either through its own facilities or a combination of its own facilities and resale to all subscribers upon request in its designated service area.

The Commission, having jurisdiction of the parties and the subject matter, and having considered ALLTEL's Application and the evidence in support thereof, finds that ALLTEL is entitled to be granted designation as an eligible telecommunications carrier throughout its designated service area in Mississippi based on timely complying with all conditions expressed in this Order.

IT IS, THEREFORE, ORDERED:

1. ALLTEL is designated an Eligible Telecommunications Carrier throughout its current service area which includes the State of Mississippi. ALLTEL shall provide service either through its own facilities or a combination of its own facilities and resale to all subscribers upon request in its designated service area.

2 This Commission retains continuing jurisdiction to review, modify, or revoke its designation of ALLTEL as an ETC. ALLTEL is conditionally designated an Eligible Telecommunications Carrier throughout the geographical service area served by non-rural carriers as described in Docket 97-AD-552. This ETC designation is for federal universal service funds, and is based on federal rules and guidelines as they exist today. Likewise, should the Universal Service Administrative Company or any other agency revise contribution or disbursement requirements that would directly impact the State of Mississippi and its consumers, the Commission retains its jurisdiction to review, modify and/or revoke its designation of ALLTEL as an ETC. Additionally, should any information supplied by ALLTEL in this docket be inaccurate, the designation of ALLTEL as an ETC may be revoked.

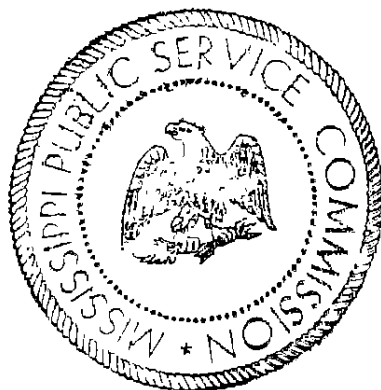
3. The entire file of the Commission, as well as all responses to all discovery requests of the MPUS, are specifically made a part of the record in this matter.

4 This Order is effective as of the date hereof.

SO ORDERED, this the 4th day of December, 2003.

Chairman Michael Callahan voted Aye, Vice Chairman Bo Robinson voted Aye,
Commissioner Nielsen Cochran voted Aye.

MISSISSIPPI PUBLIC SERVICE COMMISSION



Michael Callahan
MICHAEL CALLAHAN, Chairman

Bo Robinson
BO ROBINSON, Vice Chairman

Nielsen Cochran
NIELSEN COCHRAN, Commissioner

ATTEST: A TRUE COPY

Brian U. Ray
BRIAN U. RAY
Executive Secretary